



UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
NEW YORK REGIONAL OFFICE  
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ROOM 400  
NEW YORK, NEW YORK 10281-1022

January 28, 2016

**Via ECF and Facsimile (212-805-7920)**

Hon. Shira A. Scheindlin  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

**Re: SEC v. Adondakis, et al., 12 Civ. 0409 (SAS)**

Dear Judge Scheindlin:

On behalf of Plaintiff Securities and Exchange Commission, this letter responds to the letter motion filed yesterday by defendant Jess Tortora seeking to vacate the judgment entered against him in the above-referenced action.

In light of the particular circumstances of this matter, the Commission does not oppose Mr. Tortora's letter motion. We note, however, that our position on his letter motion should not be construed to indicate agreement with all of the arguments contained in it.

We are available to discuss these issues further at the Court's convenience. The undersigned can be reached at 212-336-0535 or [rielyc@sec.gov](mailto:rielyc@sec.gov).

Respectfully submitted,

  
Charles D. Riely

cc: All Counsel (via ECF)